

September 6, 2011

The Randolph County Board of Commissioners met in regular session at 6:00 p.m. in the 1909 Randolph County Historic Courthouse Meeting Room, 145 Worth Street, Asheboro, NC. Commissioners Holmes, Frye, Haywood, Kemp and Lanier were present. Rev. Brandon Dockery, Providence Grove Church, Pleasant Garden, gave the invocation, and everyone recited the Pledge of Allegiance.

### **Special Presentations**

Chairman Holmes and Gail Routh, Volunteer Center Coordinator, presented certificates of appreciation to the winners of the 2011 Governor's Award for Volunteer Service: Alice Dawson, Cranford Knott, Claire & Rodney Overcash and Roxanne Taylor. Award recipient Zachary Lennon was unable to attend.

### **Public Comment Period**

Pursuant to N.C.G.S. § 153A-52.1, Chairman Holmes opened the floor for public comment.

**Hope Moody**, 275 Walnut Creek Lane, Asheboro, spoke on behalf of concerned citizens of Randolph County who oppose the opening of a regional landfill. She said that such a landfill would have the following impacts: create traffic and safety issues on the narrow roads going into the landfill; decrease property values; increase noise and air pollution; potentially pollute the well water of surrounding homeowners; potentially harm the Deep River; and endanger and destroy the wildlife habitat. Ms. Moody said that she had collected over 700 signatures on a "Petition to Stop the Opening of a Regional Landfill in Randolph County," and added that they don't want Greensboro's trash. She urged the Board to "stop this costly mistake."

**Mitch Armbrister**, Vice President, EFJohnson Technologies, spoke concerning his company's protest of the Randolph County Fire Chiefs Communications Committee's decision to award a contract to Motorola for portable and mobile radios using a Department of Homeland Security, Federal Emergency Management Agency's Firefighter grant. He argued that purchasing the equipment from Motorola as a "State Contract" sole source vendor violated the North Carolina and FEMA grant guidelines. He said that if the Committee had followed the guidelines, it would have chosen EFJohnson and saved the Committee thousands of dollars and received twice as many radios. He told the Commissioners that the Committee's decision was not the best use of tax payers' dollars and asked that the Board insure that the fire departments maximize the use of tax dollars.

**Bill Dula**, 1320 Randolph Tabernacle Rd., Asheboro, spoke in opposition to the proposed regional landfill, saying that he learned that a prospective buyer walked away from closing on a \$330,000 home when he discovered that a regional landfill might be built nearby. He also said that he wanted to set up beehives on his property. However, after talking with a bee expert who told him that bees would never survive living near a landfill due to the insecticides that would be used at the landfill, he has changed his mind. He said that even if the bees lived, no one would want their honey. Mr. Dula also opposed the use of tax dollars to fund the studies for the proposed landfill. He asked if the Commissioners had thought about what would happen to the landfill 40-50 years from now. He asked the Board to reconsider the proposed landfill due to the possibility of a leak down the road, whereby the County would have to run County water to homes affected by the contaminated water. Mr. Dula also said that tax dollars should not be spent on this type of project.

**Glenn Coley**, 4208 Jess Hackett Rd., Climax, said that this proposed landfill would affect every citizen in Randolph County. He suggested that the issue should be placed on the November ballot in order to let the people decide whether the regional landfill should be located here. He said he doesn't want his tax dollars going to fund something like this. He said that the Commissioners find the money for something like this rather than giving the schools much-needed money.

Chairman Holmes said that the money that the County had spent so far on the permitting and study process for the proposed regional landfill has come from the 1997 landfill closure fund, which was funded by user or tipping fees from the old landfill. This money cannot be spent for school funding. He and Commissioner Frye said that no final decision has been made about the regional landfill and that studies will continue so the Board can make an informed decision.

### **Approval of Consent Agenda**

*On motion of Haywood, seconded by Lanier, the Board voted unanimously to approve the Consent Agenda, as follows:*

- *approve minutes of regular meeting of 8/1/11;*
- *reappoint Carolyn Harris to the Randolph County Adult Care Home Community Advisory Committee;*
- *reappoint Gloria Terry to the Randolph County Nursing Home Community Advisory Committee;*
- *reappoint Will Massie and Cheryl Ivey to the Randolph County Public Facilities Corporation and appoint Suzanne Dale to replace Jane Leonard;*
- *reappoint Darrell Frye to the Piedmont Triad Regional Water Authority;*
- *adopt Order of Succession for County (Exercise of Administrative Decisions During County Manager's Absence): 1. Will Massie, Assistant County Manager/Finance Officer; 2. Hal Johnson, Planning & Zoning Director; 3. Paxton Arthurs, Chief Building Inspector;*
- *approve DOT Resolution adding Emerald Drive to State Roads System, as follows:*

***WHEREAS**, the Department of Transportation has investigated Emerald Drive in the Emerald Estates Subdivision; and*

***WHEREAS**, the subject street has been found to meet minimum requirements for addition.*

***NOW, THEREFORE, BE IT RESOLVED** by the Randolph County Board of Commissioners that Emerald Drive in the Emerald Estates Subdivision be added to the Division of Highways' Secondary Road System.*

- *ratify individual Board of Commissioners poll taken on 8/24/11 approving Addendum to Agreement for Purchase and Sale of Real Property (Randleman Ambulance Base) Extending Permitting Period, as follows:*

*This Addendum to Agreement for Purchase and Sale of Real Property (the "Agreement") is entered into this 24<sup>th</sup> day of August, 2011 by and between **Kelley Properties, Inc.** as **Buyer** and **Randolph County** as **Seller**.*

***WHEREAS**, the parties hereto entered into the Agreement dated June 11, 2010, for the purchase and sale of property located at 2 Parrish Drive, Randleman, North Carolina; and*

***WHEREAS**, Buyer requested and obtained an extension of the Examination Period from October 11, 2010 to January 10, 2011 by Addendum dated October 11, 2010; and*

*WHEREAS, Buyer has now requested an extension of the Permitting Period from August 23, 2011 to February 23, 2012 with options to further extend for four (4) additional periods of thirty (30) days each if necessary for the purpose of securing permits and approvals for the project.*

*NOW, THEREFORE, in consideration of the mutual covenants contained herein and the earnest money received under the underlying Agreement, the receipt and sufficiency of which is hereby acknowledged, the parties agree to amend the terms of the Agreement as follows:*

- 1. The Permitting Period is hereby affirmed and extended to February 23, 2012.*
- 2. Upon the expiration of the Permitting Period, the Buyer has the option to extend said period for up to four (4) additional periods of thirty (30) days each for the purpose of finalizing and securing the necessary permits and approvals for the project; provided however that in no event shall the Permitting Period be extended past June 23, 2012.*

*Unless otherwise defined herein, the capitalized terms shall have the same meaning as set out in the Agreement.*

*As amended herein, the terms of the Agreement remain unchanged and enforceable.*

*Executed the day and year first above written.*

- appoint Tami Hinshaw to Library Board of Trustees to fill unexpired term of Marie Pugh;*
- adopt Proclamation Recognizing and Expressing Support for the 9/11 10<sup>th</sup> Anniversary National Day of Service and Remembrance, as follows:*

***Proclamation Recognizing and Expressing Support  
for the 9/11 10th Anniversary National Day of Service and Remembrance***

*On September 11, 2001, the peace and security of our nation was shattered by cowardly terrorist attacks that killed nearly 3,000 innocent and brave people at the World Trade Center towers in New York City, at the United States Pentagon, and in the pristine fields of Shanksville, Pennsylvania. Although the terrorists' goal was to strike a powerful blow to the hearts of all Americans and tear at the fabric our nation, arising from the very ashes of that tragedy came a remarkable spirit of unity, compassion and determination that will never be forgotten, just as we will never forget those who were lost and injured on that day, and those who bravely rose in service during the rescue and recovery effort and in defense of our nation both here at home and abroad.*

*In observance of the 10th anniversary of the September 11, 2001 attacks on America, which killed citizens from 92 different countries, we hereby adopt the following Proclamation in tribute to those lost and injured on 9/11, and the many who gave of themselves in service to their communities and to this country in the aftermath of the attacks:*

***WHEREAS***, *people of all ages and walks of life, across America and around the world, collectively witnessed an event of immense tragedy on September 11, 2001; and*

***WHEREAS***, *the events of that day instantly transformed nearly everyone's lives, some through personal loss, and many others through an unfamiliar sense of individual and national vulnerability; and*

***WHEREAS***, *an unprecedented historic bonding of Americans arose from the collective shock, unifying the country in an outpouring of national spirit, pride, selflessness, generosity, courage and service; and*

***WHEREAS***, *many brave people heroically, tirelessly and courageously participated in an extraordinarily difficult and dangerous rescue and recovery effort, in some cases voluntarily putting their own well-being at risk; and*

***WHEREAS***, *September 11 will never, and should never, be just another day in the hearts and minds of all Americans; and*

**WHEREAS**, September 11, 2011 will be the 10th anniversary of the 9/11 attacks on America; and

**WHEREAS**, many citizens may wish to memorialize September 11 by engaging in, or making a plan to engage in, personal and individual acts of community service, or other giving activities, as part of a solemn day of remembrance and tribute; and

**WHEREAS**, on March 19, 2009, the United States Congress passed bipartisan legislation authorizing the establishment of September 11 as a federally recognized National Day of Service and Remembrance, which President Barack Obama signed into law on April 21, 2009; and

**WHEREAS**, the President of the United States, on September 11, 2009, issued the Patriot Day Proclamation officially and permanently designating September 11 as a National Day of Service and Remembrance, and calling upon all interested Americans to participate in this observance through moments of silence, the flying of the flag of the United States at half-staff, as well as community service and charitable activities in tribute and remembrance; and

**NOW, THEREFORE, BE IT PROCLAIMED** that the Randolph County Board of Commissioners, in tribute to all of the victims of 9/11 and the many who rose in service in response to the 9/11 terrorist attacks, will observe September 11, 2011, the 10th Anniversary of 9/11, as a voluntary Day of Service and Remembrance, and furthermore call upon all its citizens and organizations to consider joining in this observance and to engage in activities of tribute, solemn remembrance and charitable service.

- adopt Proclamation Designating “Family Day—A Day to Eat Dinner with Your Children” on Monday, September 26, 2011, as follows:

***Family Day—A Day to Eat Dinner with Your Children: Monday, September 27, 2010***

**WHEREAS** the use of illegal and prescription drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children; and

**WHEREAS** 16 years of surveys conducted by The National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink and use illegal drugs; and

**WHEREAS** frequent family dining is associated with lower rates of teen smoking, drinking, illegal drug use and prescription drug abuse; and

**WHEREAS** the correlation between frequent family dinners and reduced risk for teen substance abuse is well documented; and

**WHEREAS** parents who are engaged in their children's lives – through such activities as frequent family dinners – are less likely to have children who abuse substances; and

**WHEREAS** family dinners have long constituted a substantial pillar of family life in America.

**NOW, THEREFORE**, the Randolph County Board of Commissioners hereby proclaim the fourth Monday of every September as

***Family Day – A Day to Eat Dinner with Your Children™***

and urge all citizens to recognize and participate in its observance.

- approve Budget Amendment for Health Department—School Nurse & WIC Funding, as follows:

<b>2011-2012 Budget Ordinance</b>		
<b>General Fund—Budget Amendment #6</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Restricted Intergovernmental</i>	\$254,768	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Public Health</i>	\$254,768	

### **Additions to Agenda**

Chairman Holmes announced that the following two items had been added to the New Business Agenda: *M. Approve Purchase of VIPER Mobile Radios (State Contract) for Sheriff's Department—Donovan Davis*; and *N. Request to Approve Grant Application for JCPC Level II Dispositional Alternatives for FY 11-12—Pam Smith*.

### **Approval of 2009 CDBG Standard Scattered Site Housing Program Amendment**

David Townsend, III, Public Works Director, said that the 2009 CDBG Standard Scattered Site Housing project in the amount of \$400,000 was originally funded to provide housing rehabilitation to seven low income homeowners in Randolph County. However, since the owners of four of the originally selected and approved homes have either passed away or moved away, another home has been selected and approved as a project for these grant funds. The proposed house is located at 310 Old Plank Road in Seagrove, NC 27341 and is owned by William Thompson. But, due to the extremely poor condition of this house, the intent is to demolish the house and replace it with a modular unit, rather than rehabbing the existing structure. While this is allowable within the parameters of the CDBG Standard grant, there are a few extra requirements. One is to hold a public hearing, which has been duly noticed in accordance with Section .1002 of Subchapter 19L of the NC CDBG program. Another is to amend the Project Scope of Work and Project Budget to allow for the addition of clearance and relocation activities in order to permit the existing structure to be torn down, the site cleared and to provide replacement housing.

At 6:35 p.m., Chairman Holmes opened the public hearing on the request to approve an amendment to the Project Scope of Work and Project Budget to include an additional home. No one spoke.

*On motion of Frye, seconded by Lanier, the Board voted unanimously to approve an amendment to the Project Scope of Work and Project Budget of the 2009 CDBG Standard Scattered Site Housing grant to include an additional home, and to allow for the addition of clearance and relocation activities in order to permit the existing structure to be torn down, the site cleared and to provide replacement housing, as requested.*

### **Approval of Bid Award for Home Rehabilitation of Under the 2009 CDBG Standard Scattered Site Housing Program**

David Townsend, III, Public Works Director, said that Hobbs Upchurch and Randolph County Public Works posted to the State IPS System and Randolph County Website, and published in the Courier Tribune, notice of a mandatory pre-bid conference on August 17, 2011, in reference to bidding out work on a home in Ramseur for the CDBG Standard Grant. The bid opening was held on August 24, 2011. The following bids were received:

<b>Contractor</b>	<b>Bid Amount</b>
Glenn King Construction	\$36,840
Touch Construction	\$40,125
Amos Construction	No bid

The Public Works Department proposes awarding the contract for the home located at 1515 NC Hwy 49, Ramseur, NC, to Glenn King Construction, in the amount of \$36,840, as the lowest responsible bidder.

*On motion of Lanier, seconded by Frye, the Board voted unanimously to award the bid for rehab of a home located at 1515 NC Hwy 49, Ramseur, under the 2009 CDBG Standard Scattered Site Housing Program, to Glenn King Construction, in the amount of \$36,840, and to authorize the Chairman to sign the contract, as requested.*

**Approval of Bid Award for Home Rehabilitation of Under the 2009 CDBG-R Stimulus Housing Program**

David Townsend, III, Public Works Director, said that Hobbs, Upchurch & Associates and Randolph County Public Works posted to the State IPS System and Randolph County Website, and published in the Courier Tribune, notice of a mandatory pre-bid conference on August 17, 2011, in reference to bidding out work on a home in Asheboro for the CDBG Stimulus Grant. The bid opening was held on August 24, 2011, with three contractors submitting bids, as follows:

Contractor	Bid Amount
Glenn King Construction	\$55,480
Touch Construction	\$59,850
TW Construction Co.	\$99,355.98

The Public Works Department proposes awarding the contract for a home located at 307 Clearview Drive, Asheboro, to Glenn King Construction, in the amount of \$55,480, as the lowest responsible bidder. The Public Works Department is requesting that the County approve the bid contingent upon receiving approval from the NC Department of Commerce—Community Investment and Assistance for substantial rehabilitation. They have verbally agreed but the County needs this in writing.

*On motion of Frye, seconded by Kemp, the Board voted unanimously to award bid for rehab of a home located at 307 Clearview Drive, Asheboro, under the 2009 CDBG-R Stimulus Housing Program, to Glenn King Construction in the amount of \$55,480, as requested, and contingent upon receiving approval from the NC Department of Commerce—Community Investment and Assistance for substantial rehabilitation, and to authorize the Chairman to sign the contract upon receipt of the approval from N.C.C.I.A.*

**Rural Operating Assistance Program (ROAP) Public Hearing & Approval of FY11-12 Application and Certified Statement**

Roger King, RCATS Transportation Director, said that the Randolph County Senior Adults Association, Inc. and the Regional Coordinated Area Transportation System (RCATS) serve as the sub-recipient of the annual allocation of the NCDOT Public Transportation Division Rural Operating Assistance Program (ROAP) Grant funding for Randolph County. In order to complete and submit the FY2012 ROAP Grant application documents to NCDOT, the following official actions are required by the Randolph County Commissioners and County Administration officials: 1) Conduct a duly advertised public hearing about the ROAP Grant Application before the Randolph Commissioners; 2) Complete and sign the Certified Statement for the FY2012 Rural Operating Assistance Program; 3) Provide a copy of the official minutes of the Commissioner's Meeting and Public Hearing.

Mr. King said that the demand for transportation services continues to grow, and it is unfortunate that the available funding for the FY2012 ROAP program has been so deeply cut. The allocation funding amounts are as follows:

<i><b>State-Funded Rural Operating Assistance Program</b></i>	<i><b>Allocated</b></i>	<i><b>Requested</b></i>
<i>Elderly &amp; Disabled Transportation Assistance Program (EDTAP)</i>	<i>\$104,335</i>	<i>\$104,335</i>
<i>Employment Transportation Assistance Program (EMPL)</i>	<i>\$56,829</i>	<i>\$56,829</i>
<i>Rural General Public Program (RGP)</i>	<i>\$114,078</i>	<i>\$114,078</i>

At 6:42 p.m., Chairman Holmes opened the public hearing, and, upon hearing no comments, declared the public hearing closed.

*On motion of Kemp, seconded by Frye, the Board voted unanimously to approve the FY11-12 ROAP Application and Certified Statement, as follows:*

***CERTIFIED STATEMENT FY 2012--RURAL OPERATING ASSISTANCE PROGRAM  
County of RANDOLPH***

***WHEREAS***, the state-funded, formula-based Rural Operating Assistance Program (ROAP) administered by the North Carolina Department of Transportation, Public Transportation Division provides funding for the operating cost of passenger trips and for other transportation services for counties within the state;

***WHEREAS***, the county uses the most recent transportation plans (i.e. CTSP, CTIP, LCP) available and other public involvement strategies to learn about the transportation needs of agencies and individuals in the county before determining the sub-allocation of these ROAP funds;

***WHEREAS***, the county government or regional public transportation authorities created pursuant to Article 25 or Article 26 of Chapter 160A of the General Statutes (upon written agreement with the municipalities or counties served) are the only eligible recipient of Rural Operating Assistance Program funds which are allocated to the counties based on a formula as described in the Program Guidelines included in the ROAP application. NCDOT will disburse the ROAP funds only to counties and eligible transportation authorities and not to any sub-recipients selected by the county;

***WHEREAS***, the county finance officer will be considered the county official accountable for the administration of the Rural Operating Assistance Program in the county, unless otherwise designated by the Board of County Commissioners;

***WHEREAS***, the passenger trips and transportation services provided with ROAP funds must be accessible to individuals with disabilities and be provided without discrimination on the basis of national origin, creed, age, race or gender (FTA C 4702.1A, FTA C 4704.1, Americans with Disabilities Act 1990); and

***WHEREAS***, the period of performance for these funds will be July 1, 2011 to June 30, 2012 regardless of the date on which ROAP funds are disbursed to the county.

***NOW, THEREFORE***, by signing below, the duly authorized representatives of the County of Randolph North Carolina certify that the following statements are true and accurate:

- *The county employed a documented methodology for sub-allocating ROAP funds that involved the participation of eligible agencies and citizens. Outreach efforts to include the participation of the elderly and individuals with disabilities, persons with limited English proficiency, minorities and low income persons in the county's sub-allocation decision have been documented.*
- *The county will advise any sub-recipients about the source of the ROAP funds, specific program requirements and restrictions, eligible program expenses and reporting requirements. The county will be responsible for invoicing any sub-recipients for unexpended ROAP funds as needed.*
- *The county will monitor ROAP funded services routinely to verify that ROAP funds are being spent on allowable activities and that the eligibility of service recipients is being properly documented. The county will maintain records of trips and services for five years that prove that an eligible citizen was provided an eligible service or trip on the billed date, by whatever conveyance at the specified cost.*

- *The county will be responsible for monitoring the safety, quality and cost of ROAP funded services and assures that any procurements by sub-recipients for contracted services will follow state guidelines.*
- *The county will conduct regular evaluations of ROAP funded passenger trips and transportation services provided throughout the period of performance.*
- *The county will only use the ROAP funds to provide trips and other transportation services when other funding sources are not available for the same purpose or the other funding sources for the same purpose have been completely exhausted.*
- *The county assures that the required matching funds for the FY2012 ROAP can be generated from fares and/or provided from local funds.*
- *The county will notify the Mobility Development Specialist assigned to the county if any ROAP funded services are discontinued before the end of the period of performance due to the lack of funding. No additional ROAP funds will be available.*
- *The county manager will provide written assurance to the Public Transportation Division that the employment transportation needs in the county have been met prior to transferring any Employment Transportation Program (EMPL) funds. The letter will describe the process used to make this determination. Transfer of EMPL funds is prohibited if there are any unmet needs or service strategies in the Coordinated Public Transit – Human Services Transportation Plan that have not been addressed.*
- *The county will provide an accounting of trips, services and expenditures in semi-annual reports to NCDOT – Public Transportation Division or its designee.*
- *Any interest earned on the ROAP funds will be expended for eligible program uses as specified in the ROAP application. The County will include ROAP funds received and expended in its annual independent audit on the schedule of federal and state financial assistance. Funds passed through to other agencies will be identified as such.*
- *The county is applying for the following amounts of FY 2012 Rural Operating Assistance Program funds:*

<b><i>State-Funded Rural Operating Assistance Program</i></b>	<b><i>Allocated</i></b>	<b><i>Requested</i></b>
<i>Elderly &amp; Disabled Transportation Assistance Program (EDTAP)</i>	<i>\$104,335</i>	<i>\$104,335</i>
<i>Employment Transportation Assistance Program (EMPL)</i>	<i>\$56,829</i>	<i>\$56,829</i>
<i>Rural General Public Program (RGP)</i>	<i>\$114,078</i>	<i>\$114,078</i>

### **Approval of Change in Fee Schedule for Health Department Clinical Services**

MiMi Cooper, Public Health Director, said that at the Board of Health meeting on August 8, 2011, board members voted to change the charges for clinical services in the health department to the cost per unit. In the past, the health department has charged patients at the Medicaid rate. Then, at the end of each fiscal year, the Medicaid program would compare our costs to what the Medicaid rates were and settle with us for the difference. However, this practice has changed beginning with the 11-12 fiscal year. The Health Department will now only be reimbursed if we are actually charging our costs. Therefore, the Board of Health recommends that the Board of Commissioners adopt the below referenced fee schedule for clinical services, effective immediately. Ms. Cooper mentioned that she would inform the Board if a certain cost isn't working.

*On motion of Haywood, seconded by Frye, the Board voted unanimously, effective immediately, to approve the change in fee schedule for the Health Department Clinical Services, as requested, and as follows:*

<b>CPT</b>	<b>Service Type</b>	<b>Clinical Cost Per Unit</b>
11981	INSERT DRUG IMPLANT DEVICE	\$271.42
11982	REMOVE DRUG IMPLANT DEVICE	\$307.70



36415	ROUTINE VENIPUNCTURE	\$10.83
56501	TCA VULVA	\$268.49
58300	IUD INSERT	\$154.90
58301	IUD REMOVAL	\$198.07
81002	URINE DIPSTICK	\$7.69
81025	PREGNANCY TEST (URINE)	\$21.08
82947	GLUCOSE	\$12.30
82950	Glucose Test	\$14.60
82951	GTT 3 HR	\$39.96
82952	GTT 3 HR	\$12.30
83986	VAGINAL PH	\$10.76
85018	HEMOGLOBIN	\$7.69
86580	TB Skin Test	\$16.26
86701	HIV-1	\$27.67
87081	CULTURE	\$20.75
87084	URICULT	\$26.90
87086	URINE CULTURE	\$25.36
87210	WET PREP	\$13.06
90471	IM ADMIN	\$45.76
90472	IM ADMIN	\$23.40
90474	ORAL/INTRANASAL	\$20.33
90656	FLU VACCINE NO PRESERVE 3 & >	\$16.75
90658	FLU VACCINE, 3 YRS & >, IM	\$12.74
90732	PNEUMOCOCCAL	\$32.33
92551	AUDIOMETER	\$22.05
92567	TYMPANOMETRY	\$33.59
96110	DEVE SCREENING	\$15.13
99173	VISION SCREENING	\$5.14
99201	OV, NEW, MINIMAL	\$84.15
99202	OV, NEW, LIMITED	\$145.89
99203	OV, NEW, EXPANDED	\$211.40
99204	OV, NEW, DETAILED	\$328.40
99211	OV, EST, MINIMAL	\$41.19
99212	OV, EST, LIMITED	\$84.15
99213	OV, EST, EXPANDED	\$142.45
99214	OV, EST, DETAILED	\$213.73
99215	OV, EST, COMPREHENSIVE	\$288.40
99381	NEW PREVENTIVE AGE 0-1	\$247.36
99382	NEW PREVENTIVE AGE 1-4	\$266.23
99383	NEW FP PREVENTIVE AGE 5-11	\$264.69
99384	NEW PREVENTIVE AGE 12-17	\$233.06
99385	NEW PREVENTIVE AGE 18-39	\$233.06
99386	NEW PREVENTIVE AGE 40-64	\$272.61
99391	EST PREVENTIVE AGE 0-1	\$216.20
99392	EST PREVENTIVE AGE 1-4	\$235.06
99393	EST PREVENTIVE AGE 5-11	\$234.29
99394	EST PREVENTIVE AGE 12-17	\$202.66
99395	EST PREVENTIVE AGE 18-39	\$203.43
99396	EST PREVENTIVE AGE 40-64	\$222.30
99501	POSTNATAL HOME VISIT	\$265.77
99502	NEWBORN HOME VISIT	\$265.77
90471-EP	IMMUNIZATION ADMIN	\$45.76
99384-EP	PREVENTIVE VISIT NEW PAT, 12-17	\$283.55

99385-EP	PREVENTIVE VISIT NEW PAT, 18-39	\$283.55
99394-EP	PREVENTIVE VISIT EST PAT, 12-17	\$253.16
D0120	PERIODIC ORAL EXAM	\$66.53
D0140	LIMITED ORAL EXAM	\$114.43
D0150	COMPREHENSIVE EVAL	\$118.83
D0220	INTRAORAL PERIAPICAL, FIRST	\$38.62
D0230	INTRAORAL PERIAPICAL, ADD'L	\$34.30
D0270	BITEWING, SINGLE	\$38.63
D0272	BITEWING, TWO	\$62.93
D0274	BITEWING, FOUR	\$89.63
D1110	PROPHYLAXIS ADULT	\$140.51
D1120	PROPHYLAXIS CHILD	\$96.23
D1203	FLOURIDE CHILD W/O PROPHY	\$60.15
D1204	FLOURIDE ADULT W/O PROPHY	\$55.83
D1330	Oral hygiene instruction	\$94.81
D1510	SPACE MAINTAIN FIXED UNILAT	\$490.77
D1515	SPACE MAINTAIN FIXED BILAT	\$684.64
D2140	AMALGAM 1 SUR PERM	\$164.91
D2150	AMALGAM 2 SUR PERM	\$213.12
D2160	AMALGAM 3 SUR PERM	\$258.88
D2161	AMALGAM 4 OR > SURFS PERM	\$314.32
D2330	RESIN 1 SUR ANTERIOR	\$204.85
D2332	RESIN 3 SUR ANTERIOR	\$318.71
D2335	RESIN 4+ SUR ANTERIOR	\$376.62
D2391	RESIN 1 SUR POST	\$238.91
D2392	RESIN 2 SUR POST	\$312.83
D2393	RESIN 3 SUR POST	\$386.82
D2930	PREFAB SS CROWN, PRIMARY	\$386.82
D3220	THERAPEUTIC PULPO X FINAL REST	\$238.91
D7140	EXTRACTION TOOTH/ROOT	\$213.12
J1055	DEPO	\$39.12
J7300	IUD DEVICE	\$386.89
J7302	LEVONORGESTREL IU CONTRACEPTIVE	\$477.20
Q0114	Fern Test	\$22.29
S4993	CONTRACEPTIVE PILLS FOR BC	\$5.12
S9445	PT EDUCATION NOC INDIVID	\$34.08
T1002	RN SERVICES	\$80.26
T1016	CASE MANAGEMENT	\$46.45
T1017	TARGETED CASE MANAGEMENT	\$38.18

### **Fire Department Service District Update**

Aimee Scotton, Associate County Attorney, said that in North Carolina, counties are not required to provide their citizens with fire protection. For many years, fire protection in Randolph County was provided by small volunteer fire departments that supported themselves solely through donations and local fundraising efforts. As population density increased, however, this method of support became increasingly inadequate. North Carolina state law offers several options for counties that wish to ensure that their citizens are provided with fire protection services. A county can simply decide to provide for fire protection out of its general revenues (including general property tax revenues), or, a county can create a special tax district to fund fire services. In fact, there are two different types of tax districts that a county can choose from: a rural fire protection district or a county fire service tax district. These districts serve the same

function, but differ in the way that they are formed and in the limitations set on the amount of taxes that can be collected in them.

Ms. Scotton stated that the fire tax districts that exist in Randolph County are all rural fire protection districts, which are more difficult to form than county fire service tax districts. The county cannot simply decide to form one. First, it must receive a petition signed by at least 35 percent of the resident freeholders living within the boundaries of the proposed district (a resident freeholder is someone who **both** owns property in and lives in the proposed district). Then it must hold an election on the matter. Another limitation on a rural fire protection tax district and the one that is most pertinent to this report, is the amount of taxes that may be levied in one. North Carolina General Statutes currently cap the amount of the tax in one of these districts at 15¢ per \$100 valuation (prior legislation capped them at 10¢ and Guil-Rand and Climax are capped at 10¢). In Randolph County, none of our rural fire protection tax districts have been taxed higher than 10¢ even though the maximum for most of them is 15¢.

Ms. Scotton reminded the Board that earlier this year, the Guil-Rand Fire Department requested that the County “convert” them to a county fire service district (the other type of special tax district that is available to counties who wish to provide fire protection) so that their tax rate could exceed 10¢. By comparison to a rural fire protection district, a county service district is fairly easy to create. It doesn’t require a petition or an election, just some findings by the Board of County Commissioners, the fulfillment of certain public notice requirements and a public hearing. The reason that Guil-Rand would like to see this done for them is that the county fire service district doesn’t have the same restriction on the maximum amount of taxes that can be collected as the rural fire protection district does. In fact, there is no maximum tax rate limit for a service district. It is subject to the aggregate property tax limit of \$1.50 per \$100 valuation. In other words, the service district tax, when combined with the county’s property tax rate and any other service district tax, may not exceed \$1.50 per \$100. Guil-Rand has asked that the Commissioners create a service district with exactly the same boundaries as the rural fire protection tax district and then “abolish” the rural fire protection tax district by ceasing to tax it and taxing under the service district instead.

Ms. Scotton further stated that in researching this matter and in meeting with various county officials, one concern was clear. It is true that, at the moment, Guil-Rand and Climax have a limitation on their tax rates that the other fire protection districts in Randolph County do not have: they are capped at 10¢ when everyone else is capped at 15¢. Creating county service districts for Guil-Rand and Climax would remove this cap for them, but would also simply flip-flop the inequity (then Guil-Rand and Climax would essentially have no cap, and the rest of the districts would be capped at 15¢). Replacing all of the fire protection districts with county service districts would make everyone equal but might cause concern for citizens who could view the removal of a cap on this tax as unacceptable. Fortunately, there is a solution that addresses all of these concerns. North Carolina General Statute 153A-309.2 allows the County to establish a county service district with a rate limitation of 15¢ per \$100 valuation. If the County chose to create this sort of service district for Guil-Rand and for Climax, then all of the fire districts in Randolph County would be subject to the same rate limitations (15¢ per \$100). In meeting with various County officials, including the County Manager, the Assistant County Manager/Finance Officer, the Emergency Services Director, and the Fire Marshal, this is the unanimous recommendation. Ms. Scotton outlined the necessary steps in this process:

1. At a meeting, in determining whether to establish a proposed service district, the Board must consider the following:
  - a. the resident or seasonal population and population density of the proposed district;
  - b. the appraised value of property subject to taxation in the proposed district;
  - c. the present tax rates of the County and any cities or special districts in which the district or any portion thereof is located;
  - d. the ability of the proposed district to sustain the additional taxes necessary to provide the services planned for the district; and
  - e. any other matters that the Commissioners believe to have a bearing on whether or not the district should be established.
2. Once the Board considers the items in number 1 above, it may proceed to establish the service district if it finds that all of the following apply:
  - a. there is a demonstrable need for providing fire protection services in the district;
  - b. it is impossible or impracticable to provide these services on a countywide basis;
  - c. it is economically feasible to provide the proposed services in the district without unreasonable or burdensome tax levies; and
  - d. there is a demonstrable demand for the proposed services by persons residing in the district.
3. Cause a report to be prepared containing:
  - a. a map of the proposed district showing its proposed boundaries;
  - b. a statement showing that the proposed district meets the requirements set out in number 1 above; and
  - c. a plan for providing fire protection services in the district.The report must be available for public inspection for at least four weeks before the date of the public hearing.
4. Adopt a resolution stating that the property taxes within the district may not be levied in excess of a rate of 15¢ on each \$100 of property subject to taxation.
5. Set and publish notice of a public hearing on the creation of the new service districts. Notice of the hearing shall state the day, hour and place of the hearing and its subject and shall include a map of the proposed district and a statement that the report described in number 3 above is available for public inspection in the office of the Clerk to the Board. The notice shall be published at least twice, with one publication not less than two weeks before the hearing and the other publication on some other day not less than two weeks before the hearing.
6. Hold the public hearing.
7. Adopt a resolution creating the service district(s). This resolution would take effect at the beginning of the fiscal year commencing after its passage.

Ms. Scotton suggested that if the Board intends to pursue the creation of county service districts in Guil-Rand and Climax, they consider the matter formally at their October meeting, and, if appropriate, make the required findings and pass the resolution capping the rate. They could then set the public hearing on the matter for the December meeting. This would give time for the report to be prepared and all of the notice requirements met. At their December meeting, a public hearing would be held, after which, a resolution creating the service districts could be adopted, if deemed appropriate. The resolution would go into effect on July 1, 2012.

The Commissioners directed the Clerk to place this item on the October 3, 2011 agenda.

### **Courthouse Law Library Report**

Ross Holt, Public Library Director, said that the Randolph County Law Library, located in a small room in the new courthouse, is all but unused. He said that subscriptions to legal books were replaced several years ago with a subscription to the Westlaw legal database at a cost of \$35,500 per year. The database is rarely used, if used at all, and the Internet connection costs \$1,620 per year. Mr. Holt said that the Associate County Attorney has advised that the county is

not required to provide a law library. The jail is obligated to give inmates access to legal resources, but the law library does not serve that purpose. The NC General Statutes say that court facilities fees can be used to support a law library, but the county is funding ours out of general county revenue. He said that his original thought was to propose closing the Law Library for an ultimate savings of \$37,145 per year. However, he has since talked with Clerk of Court Pam Hill, who suggested moving the Law Library to her offices on the first floor of the courthouse for the Bar Association. He said that Ms. Hill has asked the County to allow this service to remain where it is until she and Mr. Holt can develop a plan for the transfer of the Law Library to her offices. The Board asked Mr. Holt to keep them informed concerning this issue.

#### **Approval of Contract Award for Grading Related to Soil Borings for Solid Waste Facility**

David Townsend, III, Public Works Director, said that on August 11, 2011, Randolph County Public Works sent out request for proposals (RFP) for grading related to soil borings for the proposed Regional Solid Waste Facility to the following five companies and posted the RFP on the County's website: McDowell Construction, A&D Environmental, Kelly Contractors, Gold Hill and Garco, Inc.

On August 16, 2011, Public Works received the following three (3) bids via fax:

- |                                |                              |
|--------------------------------|------------------------------|
| 1. Jordan's of Asheboro        | \$ 52,415.00                 |
| 2. Larry McDowell Construction | \$ 66,350.00                 |
| 3. Kelly Contractors, LLC      | \$ 66,995.35                 |
| 4. Garco, Inc.                 | Sent notice declining to bid |

Mr. Townsend recommended awarding the contract for grading work related to soil borings for the proposed regional facility to Jordan's of Asheboro, since they have worked for the County in the past and the Public Works Department feels very comfortable that they can perform these services in a satisfactory manner. Mr. Townsend noted that the cost will be paid out of the Landfill Post Closure Fund

*On motion of Kemp, seconded by Frye, the Board voted unanimously to award a contract for grading related to soil borings at the solid waste facility, to Jordan's of Asheboro in the amount of \$52,415, as requested, and using Landfill Post Closure Funds.*

#### **Adoption of Resolution Authorizing Building Reuse Grant Application by FPE NC LLC**

Bonnie Renfro, Randolph County EDC President, said that the NC Rural Center offers a Building Reuse Grant Program designed to create new jobs and put vacant industrial buildings back into use. Grants are made on behalf of a private company that commits to new jobs. The grant funds renovation costs for eligible facilities, and the applicant must be a unit of local government. The grant is funded for industrial companies at \$12,000 for each new job created within 18 months and retained for an additional 6 months. Maximum grant is \$480,000 or 50% of the project. The owner of the building must provide a minimum of 50% of the renovation costs so that each grant dollar is matched by a private dollar. The grant is structured as a forgivable loan with the funds loaned to the local government and re-loaned to the company. If the jobs are created, the loan is forgiven. The grant requires a 5% local match from the government applicant. She said that Randolph County has been approved for six Building Reuse Grants over the last five years with municipal governments as the applicant for each one. The County has assisted with the match on three of the grants.

Ms. Renfro said that FPE NC LLC is seeking a Building Reuse Grant to assist with renovations to the former Moll Industries facilities on Business 220 South. The company expanded to our county last November following approval of economic incentives from the County and State. Since that time, the company has purchased the site containing four buildings, and they currently occupy one facility. The facilities require repairs and renovations as they were stripped during the bankruptcy process of Moll Industries. The company is requesting a grant of \$384,000 to assist with 50% of the cost of renovations to three vacant facilities. They have obtained cost estimates from licensed contractors for the work on the three buildings, including roof repair, electrical system, drainage, and interior doors suitable for their use. The company would commit to 32 new jobs within 18 months at an average wage of \$31,105. The 5% local match is \$19,200, and the company has agreed that these funds could be taken from economic development incentives previously granted to the company by the County. The next grant application is due on September 12, 2011. Ms. Renfro said that her office would write the grant with assistance from the county and company.

Ms. Renfro asked the Board to consider approval of an application for a Building Reuse Grant to the NC Rural Center on behalf of FPE NC LLC and satisfactory consideration of the economic impact of the project.

*On motion of Kemp, seconded by Haywood, the Board voted unanimously to adopt a resolution authorizing the County to apply for a Building Reuse Grant on behalf of FPE NC LLC in the amount of \$364,800, which requires a local match of \$19,200, said match funds to be taken from economic development incentives previously granted to FPE NC LLC by Randolph County, as follows:*

**RESOLUTION AUTHORIZING THE COUNTY OF RANDOLPH TO APPLY FOR AN ECONOMIC DEVELOPMENT GRANT**

**WHEREAS**, Section 158-7.1 of the North Carolina General Statutes authorizes a county to undertake an economic development project by extending assistance to a company in order to cause the company to locate or expand its operations within the county; and

**WHEREAS**, Randolph County is a local government located in one of the state's 85 rural counties and is eligible to apply for a Building Reuse Grant on behalf of a private company that commits to job creation and the reuse of a vacant building; and

**WHEREAS**, the Board of Commissioners of Randolph County has considered whether to apply for an economic development Building Reuse Grant from the North Carolina Rural Center for an economic development project that will result in the restoration and upfitting of three industrial buildings, located on US Highway 220 Business South, north of the Town of Seagrove, by FPE NC LLC; and

**WHEREAS** the project will create 32 new jobs at wages that average \$31,105 per year and will generate new investment of \$748,000 in real property in the three buildings within 18 months; and

**WHEREAS**, FPE NC LLC is requesting a grant of \$364,800 from the NC Rural Center on behalf of the job creation commitment; and

**WHEREAS**, the grant requires that the local government applicant commit to a match equal to 5% of the grant request (\$19,200) and to administer the grant upon award; and

**WHEREAS**, this economic development project will stimulate and stabilize the local economy, promote business in the County, and result in the creation of a significant number of jobs in the County; and

**WHEREAS**, the County has in its General Fund available revenues sufficient to fund this economic development project;

**NOW, THEREFORE, BE IT RESOLVED** that the Randolph County Board of Commissioners hereby approves the submission of an application for a Building Reuse Grant from the NC Rural Center

*on behalf of FPE NC LLC, and authorizes the County Manager to sign said application and any other documents necessary for the implementation of this economic development project.*

**Approval of Expenditure of Public Funds on EDC's Randleman Business Park & Budget Amendment**

Bonnie Renfro, Randolph County EDC President, said that in 2000, the Randolph County EDC purchased a tract of land in Randleman for development as an industrial park. The purchase was financed by a group of local banks at attractive terms and structured as a line of credit with interest paid annually. The Randolph County Board of Commissioners voted in February 2000 to support this project by assisting the EDC with the annual interest payment as needed. The Board has voted annually to appropriate funds for that purpose following a public hearing.

Over the last ten years, the EDC has purchased additional tracts and made various improvements to the site. A portion of the site was sold in 2004 for Rheem's new distribution center. The total remaining acreage is 36.66 acres. The property is marketed for sale and presents various options for additional development. The loan was renewed, effective September 1, 2011. Due to the changing lending climate, the loan was restructured under new terms and conditions. The current loan balance is \$743,648, with a variable interest rate now at 4.25%, with accrued interest due annually on September 1. The banks require a 10% principal payment per annum at \$74,364. Payments may be made by proceeds of land sales or from the EDC. The note is secured by a deed of trust and a pledged certificate of deposit. Last fall the EDC made a principal payment of \$82,627.04 at the time of the loan renewal. The principal payment of \$74,364.00 plus current interest of \$32,043.57, totaling \$106,407.57, became due on September 1, 2011. In January 2011, the Board of Commissioners agreed to consider assistance to the EDC with debt service for this purpose.

At 7:31 p.m., the Chairman opened the duly advertised public hearing concerning EDC's request for assistance with the debt service payment for the W. Randleman Business Park loan. No one spoke, and the public hearing was closed.

*On motion of Frye, seconded by Haywood, the Board voted unanimously to approve the debt service payment in the amount of \$106,408 on the EDC's loan on the W. Randleman Business Park, and approved Budget Amendment #7 to effect the fund transfer from the Economic Development Reserve fund, as follows:*

<b><i>2011-2012 Budget Ordinance General Fund—Budget Amendment #7</i></b>		
<b><i>Revenues</i></b>	<b><i>Increase</i></b>	<b><i>Decrease</i></b>
<i>Transfer from Economic Development Reserve</i>	<i>\$106,408</i>	
<b><i>Appropriations</i></b>	<b><i>Increase</i></b>	<b><i>Decrease</i></b>
<i>Other Economic Development Appropriations</i>	<i>\$106,408</i>	

**Approval of Amendment to the Board of County Commissioners' Rules of Procedure**

Cheryl Ivey, Clerk to the Board, asked the Commissioners to approve an amendment to the Board's Rules of Procedure to reflect the change in their regular meeting schedule.

*On motion of Haywood, seconded by Lanier, the Board voted unanimously to approve the requested amendment to the County Commissioner's Rules of Procedures, as follows:*

***Rule 4. Regular Meetings (Time and Place)***

*A. The Board shall hold a regular meeting on the first Monday of each month. If a regular meeting day is a holiday on which County offices are closed, the meeting shall be held on the next business day or such succeeding day as may be specified in a motion adopted during a preceding regular meeting. Regular meetings shall be held in the 1909 Historic Courthouse Meeting Room, 145 Worth St., Asheboro, NC, and shall begin at 6:00 p.m., with Zoning public hearings, having been duly noticed, beginning at 7 p.m.*

**Announcement of Cancellation of Board of Commissioners Meeting (Zoning Public Hearing) on September 19**

Chairman Holmes announced that the September 19, 2011 Commissioners meeting for zoning requests had been cancelled since there were no requests to be considered.

**Approval of Purchase of VIPER Mobile Radios (State Contract) for Sheriff's Dept.**

Donovan Davis, Emergency Services Director, said that the third and final phase of the VIPER radio project is to purchase portable and mobile radios for Emergency Services, Public Health and the Sheriff's Office, along with additional channels on the primary sites. Mr. Davis reminded the Board that after a legislation change in July 2010, the Board allocated \$850,000 from the unrestricted Emergency Telephone Fund to be used for the VIPER radio project. During the first two phases of the project \$589,830 has been expended to date.

Mr. Davis said that using additional unrestricted funds, he would like to proceed with the purchase of some portable radios, mobile radios, and additional primary site channels. Based on State contract 725-G, Amerizon Wireless, Inc. has provided a quote for the purchase of this equipment in the amount of \$213,860.17, including installation. Amerizon Wireless, Inc. is our authorized Motorola dealer. Mr. Davis also noted that funds for the remaining radios needed for County operations have not currently been identified or allocated.

*On motion of Lanier, seconded by Haywood, the Board voted unanimously to approve the purchase of VIPER mobile radios (State Contract) for the Sheriff's Dept. from Amerizon Wireless in the amount of \$213,860.17, as requested*

**Approval of Grant Application Submission for JCPC Level II Dispositional Alternatives for FY 11-12**

Pam Smith, Day Reporting Center Director, requested approval of the Grant Application JCPC Level II Dispositional Alternatives for fiscal year 2011/2012. The grant amount is \$125,000.00, with no match required. She said that the Randolph County Pathway to Change Program will be providing an intense program for Level II adjudicated juveniles, ages 10-17, which will address family/school issues and substance abuse problems. According to the Risk Data for disposed youth in Randolph County FY 2009-2010, there is a 38.52% history of alcohol and drug use where juveniles need assessment/treatment. In addition, 41.80% of juveniles have serious school problems, i.e., short- and long-term suspensions, expulsions, dropout issues and truancy, and 25.41% of Randolph County juveniles have supervision issues with parents/guardians. There is a large Gang problem in Randolph County; as of Sept. 1, 2011, there have been 74 validated Gang members and 33 suspected Gang members all under the age of 17. The substance abuse treatment, educational, CBT, and Family/Individual Counseling Sessions will help create an environment for the juveniles to make better decisions and will enable him or her to progress forward toward achievement and accomplishments. This program is for the Youth with Level II dispositions, which need Family and Individual Counseling.



*On motion of Kemp, seconded by Frye, the Board voted unanimously to approve the grant application for JCPC Level II Dispositional Alternatives for FY 11-12, to authorize the County Manager to sign the application and to approve a letter of support, as requested.*

**Adjournment**

*At 7:42 p.m., on motion of Frye, seconded by Kemp, the Board voted unanimously to adjourn.*

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J. Harold Holmes, Chairman

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Darrell L. Frye

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Phil Kemp

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Arnold Lanier

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Stan Haywood

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Cheryl A. Ivey, Clerk to the Board